

Remarks/Arguments

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action dated December 23, 2009. Claims 1, 4-6 and 9-20 remain in the application. Reconsideration of the Application is hereby respectfully requested.

The Office Action

Claims 1, 4-6 and 9-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by the reference to Cave *et al.* (US 6,996,094).

I. Claims 1, 4-6 and 9-20 Patentably Distinguish Over Cave

Claims 1, 4-6 and 9-20 were rejected as allegedly being anticipated by Cave. It is respectfully requested that this rejection be withdrawn for at least the following reasons. Cave fails to disclose each and every element of the claimed subject matter.

Generally, the subject application relates to processing calls in a core packet network using a half-call model. See, for example, paragraph [0001] of the specification. In one aspect, a first control module is provided to control an originating half-call, and a second control module is provided to control a terminating half-call. This separation of half-call establishment and control (and the appurtenant architecture for implementation, e.g. the first and second control modules) is not fairly disclosed by Cave.

On the other hand, the reference to Cave relates to a system for providing enhanced services *via* a packet voice response unit (VRU). The enhanced services provided by the VRU can include voice messaging, collect calling, and 800/900 services. Cave does not disclose a half-call model, but instead discloses an application server interfacing with a call control server to provide the enhanced services. The call control server of Cave is a single server that joins the call endpoints, while receiving information and instructions from the application server. This architecture disclosed in the system of Cave distinctly and materially differs from the claimed subject matter.

Claims 1, 4-6, and 20

Independent claim 1 recites a method that includes, among other things, the step

of controlling the originating half call context for the call by a first control module of the call controller. Independent claim 20 recites a similar claimed aspect. Cave fails to disclose or suggest the claimed subject matter.

The office action contends that Cave discloses the step of *controlling the originating half call context for the call by a first control module of the call controller* at col. 14, ll. 35-40. Applicant respectfully disagrees with such contention.

The cited portion of Cave teaches that a call control server 802 receives information from a caller, and then determines the type of application for an application server 803 to initiate. However, the cited passage is silent regarding controlling an originating half-call context for a call. Controlling an application for incoming requests for 800 number calling is different than controlling an originating half call context for a call. Moreover, notification from a call control server to an application server is not the same as controlling an originating half call context. Accordingly, the cited portion of Cave fails to disclose *controlling the originating half call context for the call by a first control module of the call controller*, as independent claim 1 recites.

Also, independent claim 1 includes the step of *instructing a second control module of the call controller to establish a terminating half call context for the call*. Claim 20 also recites a similar feature. The office action asserts that Cave discloses this claimed feature at col. 14, l. 61 – col. 15, l. 10. Applicant respectfully disagrees with such contention.

In Cave, the application server provides instructions to the call control server, but the application server does not instruct a second control module to establish a terminating half-call context for a call. Instead, the application server of Cave directs a single call control server to place a call. Thus, Cave fails to disclose *a second control module of the call controller to establish a terminating half call context for the call*, as claimed.

Independent claim 1 also recites the step of *controlling the terminating half call context for the call by the second module*. At col. 15, ll. 15-20, the reference to Cave discloses that an application server monitors the call's progress and instructs a voice media server to execute a script.

The cited portion of Cave, however, fails to disclose the feature of controlling the

terminating half call context for the call by a second module. The application server does not control a half call context; rather, the application server monitors the call's progress for the purpose of executing a script. Executing a script on an application server is different from controlling the terminating half call context. Thus, Cave fails to disclose a method comprising *controlling the terminating half call context for the call by the second module*, as claimed.

In view of the foregoing, Applicant respectfully submits that the independent claims 1 and 20 patentably define the present invention over the citations of record. Further, the dependent claims (4-6) should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Claims 9 - 19

Independent claim 9 recites *means for controlling the originating half call context for the call*, and *means for controlling the terminating half call context for the call*. It is submitted that Cave is silent regarding a means for controlling the originating half call context, and a means for controlling the terminating half call context.

Aside from the cited portions of Cave being silent regarding a half-call, the application server of Cave does not fairly disclose a means for controlling the terminating half call context. The application server of Cave instructs a voice media server to execute a script; the application server does not control the terminating half call context for the call. Thus, the cited portion of Cave fails to disclose or suggest an apparatus comprising *means for controlling the terminating half call context for the call*, as claimed.

In view of the foregoing, Applicant respectfully submits that the independent claim 9 patentably defines the present invention over the citations of record. Further, the dependent claims (10-19) should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

CONCLUSION

For at least the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1, 4-6 and 9-20) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

☒ Remaining Claims, as delineated below:

(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT LESS HIGHEST NUMBER PREVIOUSLY PAID FOR		(3) NUMBER EXTRA
TOTAL CLAIMS	16	- 20 =	0
INDEPENDENT CLAIMS	3	- 3 =	0

☒ This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.

☒ The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to Deposit Account Number 06-0308.

☒ Applicant(s) hereby petition the Commissioner under 37 C.F.R. § 1.136(a) and request a **three month extension of time** to respond to the outstanding Office Action.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to telephone John S. Zanghi, at 216.363.9000.


Respectfully submitted,

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June 23, 2010
Date

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	Signature: 
Date: June 23, 2010	Name: Roseanne Giuliani

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